

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 97,429)

In re Application of:

R.D. Gilmore et al.

Serial No.: 09 004,395

Filed: January 8, 1998

For: RECOMBINANT P37 FLAA AS A  
DIAGNOSTIC REAGENT



Examiner: N. Minnifield

Art Unit: 1645

**TRANSMITTAL LETTER**

Asst. Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:
  - a) Third Supplemental Information Disclosure Statement;
  - b) PTO Form 1449 and copies of 2 references;
  - c) Return postcard
2. With respect to fees:
  - a) Enclosed is a check in the amount of \$240.00
3. GENERAL AUTHORIZATION: Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231 on this 2 day of March, 2000.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. Hu".

3/2/2000

CERTIFICATE OF MAILING

I hereby certify that this paper and every paper referred to therein as being enclosed is being deposited with the U.S. Postal Service as first class mail, postage prepaid, on an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on **MARCH 2000** (Date of Deposit)

**3/20/00**  
Date

**S. M. G.**  
Name



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. 97,429)

In re Application of: )  
Robert D. Gilmore and )  
Barbara J.B. Johnson ) Examiner: N. Minnifield  
Serial No.: 09/004,395 ) Group Art Unit: 1645  
Filed: January 8, 1998 )  
For: RECOMBINANT P37/FLAA AS A )  
DIAGNOSTIC TREATMENT )

**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In order to comply with discretionary regulations 37 CFR 1.97 and 1.98, attached hereto is Form PTO-1449, and copies<sup>1</sup> of the documents listed thereon and fee pursuant to 37 C.F.R.

To the extent that a document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is available in the file of a parent application. If a listed document is not in the English language and an English translation is readily available, such translation is also attached; if translation is not attached it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language

important in deciding whether to allow the present application to issue as a patent.

1. Fikrig, et al., "Differential Expression of *Borrelia burgdorferi* Genes during Erythema Migrans and Lyme Arthritis" *J. Infect. Diseases* (1998) Vol. 178, pp. 1198-1201
2. Stevenson, et al., "Transformation of the Lyme Disease Spirochete *Borrelia burgdorferi* with Heterologous DNA" *J. Bacter.* (1998) Vol. 180, pp. 4850-4855

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The present Disclosure Statement is being submitted in compliance with 37 CFR 1.56 insofar as an Examiner might consider any of the cited documents important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and

1.100(b) and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,

Date: 3/2/200

  
Emily Miao  
Reg. No. 35,285

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